

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LUIS A. ALVAREZ-ORELLANA,

Plaintiff,

v.

CITY OF ANITOCH, et al.,

Defendants.

Case No.: 12-cv-04693 JSC

ORDER TO SHOW CAUSE

Now pending before the Court is Defendants' Motion to Dismiss, filed November 9, 2012.¹ (Dkt. No. 7.) Plaintiff has not filed an Opposition or Statement of Nonopposition to the Motion to Dismiss, as required by Local Rule 7-3(b). Accordingly, the Court hereby **ORDERS** Plaintiff to **SHOW CAUSE** as to why this action should not be dismissed for failure to prosecute. Plaintiff should file a response to the **ORDER to SHOW CAUSE**, along with a response to the Motion to Dismiss, on or before December 17, 2012. If Plaintiff files an opposition, Defendants reply is due by January 7, 2013.

¹ Pursuant to 28 U.S.C. § 636(c), Plaintiff and the appearing Defendants consented to the jurisdiction of a United States Magistrate Judge. (Dkt. Nos. 5, 13.)

1 If no response is received, this action may be dismissed without prejudice, pursuant to
2 Federal Rule of Civil Procedure 41(b), for failure to prosecute.

3 **IT IS SO ORDERED.**

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5 Dated: December 5, 2012

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7 JACQUELINE SCOTT CORLEY
8 UNITED STATES MAGISTRATE JUDGE
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